

**IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF IDAHO**

	)	Case no. CV _____
Plaintiff,	)	
vs.	)	ORDER TO ATTEND
	)	FOCUS ON CHILDREN CLASS
	)	
Defendant.	)	

1. In order to minimize the negative impact of divorce/separation upon your children, the District Court has ordered **both parents** in this case to attend its FOCUS ON CHILDREN program. Please do not bring your children with you. The Program lasts three **(3)** hours and is held in the Latah and Nez Perce County Courthouses. Contact the County's District Court Clerks Office within seven (7) days, with your case number if filed, to schedule your attendance at a specific session.

**Nez Perce County Class - (208) 750-2007    Latah County Class – (208) 883-2255**

2. Before receiving credit for attending the program, each parent must pay a fee of **\$40.00** unless excused by the Court from payment of all filing fees, a check or money order in the amount of \$40.00 (payable to the District Court in the County in which you attend the program). You may sign up and attend a class in any location. You may either mail your payment or pay in person to the District Court Clerks Office **where you are planning to take the class.**

**Latah County – FOC Class, P.O. Box 8068, 522 S. Adams St, Moscow, Idaho**

**Nez Perce County - FOC Class, P.O. Box 896, 1230 Main St, Lewiston, Idaho**

3. If you do not attend the FOCUS ON CHILDREN class as ordered, if you disrupt it, if you do not stay until it is over or if you fail to pay the required fees, the Court may impose penalties against you, including fines or jail time.

4. If you hold an active PROTECTION ORDER or NO CONTACT ORDER against your spouse, or if you fear domestic violence, inform the District Court Clerks Office at the time you schedule your attendance and you and the other parent will be scheduled for separate classes. **THE COURT'S ORDER TO ATTEND THE FOCUS ON CHILDREN PROGRAM DOES NOT CANCEL A DOMESTIC VIOLENCE PROTECTION ORDER OR A NO CONTACT ORDER.**

5. This Order and the "Open Letter to Parents in Divorce" is to be served on the Defendant along with the summons and complaint.

**Ordered by: MAGISTRATE JUDGES OF THE SECOND JUDICIAL DISTRICT**

\_\_\_\_\_  
Date

By: \_\_\_\_\_  
Deputy Clerk

**IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF IDAHO**

**An Open Letter to Parents  
Regarding the Second Judicial District's  
FOCUS ON CHILDREN CLASS**

Children always suffer some confusion and disruption in their lives as a result of divorce. This confusion and disruption is best handled by caring parents, since parents are usually better able to take into account their children's individual differences and needs in making the decisions that affect them. If parents do not agree on support, visitation, custody, or other important parenting questions, then a Judge must make those decisions. Even where parents agree, Idaho law still requires the Judge to review the agreement to make sure it is in the best interests of their children.

Current research indicates that children deal best with divorce when they are not caught up in, or become the object of their parents' disputes. The FOCUS ON CHILDREN class, which you will attend, will give you information on cooperative parenting, on counseling and mediation resources in this area, and on other ways to solve parental and family problems more peaceably. The goal of the Program is to help you avoid expensive courtroom custody hearings and other long and painful battles, both during and after your divorce.

The Program is not intended to bring you and your spouse back together again, and it will not give you legal advice or assistance. It will help make the difficulties of divorce more bearable for you as parents and less painful for your children.

The Magistrate Judges of  
The Second Judicial District

**SECOND JUDICIAL DISTRICT  
FOCUS ON CHILDREN**

**PROCEDURAL AND ADMINISTRATIVE MATTERS**

**GENERAL PROCEDURE**

1. At the time the Plaintiff files a complaint and summons, the Deputy Clerk completes the "Order to Attend FOCUS ON CHILDREN CLASS" and provides the Plaintiff with the Order and a copy of the "Open Letter to Parents in Divorce," the Family Court Services brochure, and the class schedule.
2. The Plaintiff serves copies of the Order and the Open Letter on the Defendant, along with the summons and the complaint. The Deputy Clerk forwards a copy of the Order to the Family Court Services Coordinator (FCSC) for her records. A copy of the order is also placed in the case file.
3. Each party will contact the appropriate County Clerks Office to schedule attendance at the FOC Program, and to arrange payment of the Program Fee of \$40.00 per adult attendee. The fee must be paid to the county where the class will be attended. Parties may attend a class without paying immediately. Payment will be required to obtain the Certificate of Completion from the FCSC.
4. After each party completes the program requirements and pays their fee for the class, the FCSC staff will submit a Certificate of Completion for that party and return it to the Court for inclusion in the case file.

**SPECIAL PROCEDURES**

Domestic Violence Protection Order and No Contact Orders. The District Court Clerk will inquire at the time of scheduling if there is an outstanding Domestic Violence Protective Order or No Contact Order between the parties, or if the party fears domestic violence. If so, the court clerk will schedule the parties for attendance at separate sessions of the program and will check the appropriate box on the registration sheet to be provided to the Family Court Services Coordinator.

Defaults. Parties who jointly intend to move for the entry of a default judgment (whether because of a stipulated agreement or for other reasons) may arrange to attend the program before filing the complaint, in order to speed the processing of their case. Where the parties have attended the program before filing, the FCSC will retain copies of the Certificates of Completion and provide the originals to the parties for them to file with their other case documents.

Notice by Publication. Where notice is by publication, FOCUS ON CHILDREN documents need not be published.

## **SCHEDULING**

General Scheduling. The FCSC will provide periodic class sessions at four (4) sites around the District, typically at the courthouses in Clearwater, Idaho, Latah and Nez Perce counties. These sessions will be held on Friday mornings in all counties, except Nez Perce County where there will be both a morning and an afternoon session. The parties will ordinarily be scheduled to attend a session in the county of filing between 15 and 45 days from the date of filing.

Special Scheduling. For the convenience of the parties, they may attend classes outside of the county in which their case is filed and, as noted above, may also attend the program before filing. They need to contact the appropriate District Court Clerks Office in the county in which they will be attending to register and pay for the class of their choice.

## **EXEMPTIONS**

Substantial Hardship or Impossibility. Because this program is intended to further the best interests of the children in domestic relations cases, a party seeking an attendance waiver must be able to demonstrate, by affidavit or sworn testimony, that his or her attendance would constitute a substantial hardship, rather than merely an inconvenience. Requests for exemption on the grounds of impossibility (whether physical, mental, emotional, logistical or whatever) are likewise to be weighed against the best interests of the children. (Please note that reasonable accommodations will be made for litigants covered by the Americans with Disabilities Act.)

Prior Attendance. Litigants who attend the FOCUS ON CHILDREN program in connection with their initial proceedings may be exempted from subsequent attendance during post-decree modification proceedings. Litigants who have received their decrees prior to implementation of the Program, but who attend the FOCUS ON CHILDREN program during post-decree modification proceedings, may be exempted from attendance at subsequent modification proceedings.

Equivalent Programs. Litigants who can show, by affidavit or sworn testimony, that they have attended substantially equivalent programs in other districts of the State of Idaho, or in other states, may request an exemption on that basis. If the parties have not attended an equivalent program in another jurisdiction, but wish to do so, they should obtain prior approval from the Court to ensure that this is acceptable.

Waiver of Fees. Parties who have obtained leave of the court to proceed *in forma pauperis* are exempt from the payment of program fees.

Attendance as a Couple. Except where domestic violence is an issue, the parties are encouraged to arrange attendance at the program as a couple, in order to further the best interests of their children.

## **SANCTIONS**

In general, parties who fail to comply with the Court's orders regarding the FOCUS ON CHILDREN program may, be ordered to show cause why they should not be held in contempt. Parties in violation of the Court's orders may also find that proceedings on the merits of their motions, requests, petitions, etc., will be delayed pending their compliance. It is not the intent of the Court, however, to penalize or unduly delay one party because of the non-compliance of the opposing party.

## **EFFECTIVE DATE**

Anyone who has not previously attended the parenting programs offered by the Center for New Directions by September 30, 2008, will be ordered to attend the FOCUS ON CHILDREN class effective October 1, 2008.

## **DISCRETIONARY ATTENDANCE**

Persons who are not required to attend the FOCUS ON CHILDREN class are welcome to do so, and may contact the FCSC at 208-750-2034 directly to make those arrangements.